

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HILLSIDE PRODUCTIONS, INC., GARY
RONCELLI and JOSEPH VICARI,

Plaintiffs/Counter-Defendants,

Case No. 06-11566

v.

COUNTY OF MACOMB,

Defendant/Counter-Plaintiff.

ORDER STRIKING DEFENDANT'S MOTIONS FOR PARTIAL SUMMARY JUDGMENT

Pending before the court are various motions for partial summary judgment, filed by Defendant on April 4 and 5, 2007. The motions rely on overlapping record evidence and, to a large extent, the same legal authority. They differ in their subject matter: collection of parking revenue, maintenance costs, property taxes and gross ticket revenue. Defendant filed its motions *seriatim*, rather than in one document with different argument sections. The court views this tactic as an attempt to circumvent the page limit for motion briefs. See E.D. Mich. LR 7.1(c)(3). Further, even if these separate motions evince no such intent, they have the effect of cluttering the court's docket and interfering with the efficient and effective administration of justice. Because the court has inherent authority to prevent undue delays of pending cases and to avoid congestion in its docket, see *Link v. Wabash Railroad Co.*, 370 U.S. 626, 629-30 (1962), the court will strike Defendant's motions for partial summary judgment. Accordingly,

IT IS ORDERED that Defendant's "Motion for Partial Summary Judgment Regarding Collection of Parking Revenues [Dkt # 69], "Motion for Partial Summary Judgment Regarding Maintenance Costs" [Dkt # 71], "Motion for Partial Summary

Judgment Regarding Property Taxes" [Dkt # 72] and "Motion for Partial Summary Judgment Regarding Gross Ticket Revenue" [Dkt # 73] are STRICKEN.

IT IS FURTHER ORDERED that Defendant may refile the above motions in a single motion complying with the page limitations of E.D. Mich. LR 7.1(c)(3) and the court's motion practice guidelines (see 11/27/06 Amended Scheduling Order at 4-8) no later than **May 2, 2007**. The motion hearing remains scheduled for **June 20, 2007 at 2:00 p.m.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 25, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 25, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522